

REMARKS

The Office Action dated June 14, 2006 has been read and carefully considered and the present amendment submitted in order to better distinguish the present invention over the cited references.

In that Office Action, claims 1-3 and 6-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Frank *et al*, US 2002/011498311. Claims 4, 5 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Frank *et al* in view of Negishi, U.S. Patent 6,165,633. Claims 10 -17 have been withdrawn due to an election by Applicant in response to a restriction requirement.

In that Office Action, it was indicated by the Examiner that the broad recitation of "affixation means" could include the disclosure of Frank *et al* where there is some form of attachment between the cart and another object. It was further stated that the present specification does include a detailed structure by which a cart is joined to the patient care apparatus but that such details were not defined in the claims.

As such, claim 1 has been amended to positively recite that the transport cart of the present invention is "adapted to be latched to a patient care apparatus" and further that the latching means actually enables "the movement of that patient care apparatus". Thus, as suggested by the Examiner, Applicant has now added further specifics of the latching of the transport cart to the patient care apparatus such that the cart is latched to the patient care apparatus wherein the transport cart can be used to move the patient care apparatus from one location to another.

The basis for that amendment is set forth on page 6, beginning at line 20, where it is disclosed that the "transport cart 10 is adapted to be affixed to the incubator 12 so that the transport cart 10 can be used to move the incubator 12 from one location to another within the hospital environment". In addition, there is further basis on page 7, at line 4 "there is shown the transport cart 10 that is affixed to the incubator 12 so that the transport cart 10 can be propelled to move the incubator 12 along therewith and there may be an affixation

means such as latches 38 to affix the transport cart 10 to the incubator 12 so that the two apparatus can travel together in order to move the incubator 12...". (underlining added).

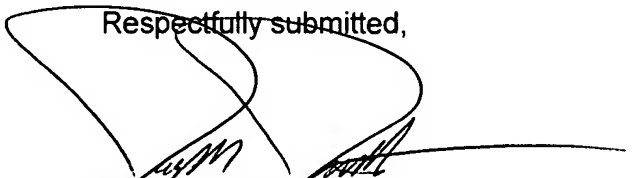
As is therefore clear, the intent of the present transport cart with its affixation to the patient care apparatus is so that the transport cart can actually be used to move the patient care apparatus, that is, by the latching of the transport cart to patient care apparatus, the user can simply push the transport cart and thereby move the patient care apparatus.

The Frank *et al* reference is directed to a portable fuel cell generator that is not affixable to any apparatus to enable the generator to move the apparatus, nor, certainly is there any suggestion or intention to do so.

As such it is believed that the claims, as now presented, are in condition for allowance and an allowance of the present application is respectfully solicited.

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Respectfully submitted,



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